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*Co-Counsel to the Ad Hoc Committee of
Governmental and Other Contingent
Litigation Claimants*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
In re : Chapter 11
:
PURDUE PHARMA L.P., *et al.*, : Case No. 19-23649 (RDD)
:
Debtors¹. : (Jointly Administered)
----- x

**TWENTY EIGHTH MONTHLY FEE STATEMENT OF OTTERBOURG P.C. FOR
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND
REIMBURSEMENT OF EXPENSES INCURRED AS CO-COUNSEL OF THE AD HOC
COMMITTEE'S PROFESSIONALS FOR THE PERIOD OF
JANUARY 1, 2022 THROUGH AND INCLUDING JANUARY 31, 2022**

| | |
|--|--|
| Name of Applicant: | Otterbourg P.C. |
| Applicant's Role in Case: | Co-Counsel to the Ad Hoc Committee of Governmental and Other Contingent Litigation Claimants |
| Date of Order Approving Debtors' Payment of Fees and Expenses of Applicant: | December 2, 2019, [dkt. no. 553] |

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors' corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

| | |
|---|-------------------------------------|
| Period for Which Compensation is Sought: | January 1, 2022 – January 31, 2022 |
| Total Amount of Fees Incurred: | \$68,477.00 |
| Total Fees Requested (80%): | \$54,781.60 |
| Total Reimbursement of Expenses Incurred: | \$51.00 |
| Total Reimbursement of Expenses Requested (100%): | \$51.00 |
| Total compensation and Reimbursement Requested in this Statement: | \$54,832.60 |
| This is Applicant's: | Twenty Eighth Monthly Fee Statement |

Pursuant to the *Order Authorizing the Debtors to Assume the Reimbursement Agreement and Pay the Fees and Expenses of the Ad Hoc Committee's Professionals*, dated December 2, 2019 [Dkt. No. 553] (the "Fee Assumption Order"), and the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Retained Professionals*, dated December 21, 2019 [Dkt. No. 529] (the "Interim Compensation Order"), Otterbourg P.C. (the "Applicant"), Co-Counsel to the Ad Hoc Committee of Governmental and Other Contingent Litigation Claimants in the above-captioned case, hereby submits this Twenty Eighth Monthly Fee Statement (the "Fee Statement") for the period of January 1, 2022 through and including January 31, 2022 (the "Statement Period").

Itemization of Services Rendered and Disbursements Incurred

1. Annexed hereto as **Exhibit A** is a chart of the aggregate number of hours expended and fees incurred by professionals and paraprofessionals during the Statement Period with respect to each of the project categories. As reflected in Exhibit A, Applicant incurred \$68,477.00 in fees during the Statement Period. Pursuant to this Fee Statement, Applicant seeks reimbursement for 80% of such fees, totaling \$54,781.60.

2. Annexed hereto as **Exhibit B** is a chart of Applicant's professionals and paraprofessionals, including the standard hourly rate for each attorney and paraprofessional who rendered services in connection with these chapter 11 cases during the Statement Period and the title, hourly rate, aggregate hours worked and the amount of fees earned by each professional. The blended hourly billing rate of attorneys for all services provided during the Statement Period is \$1,306.53². The Blended hourly rate of all paraprofessionals is \$345.00³. A copy of the computer-generated time entries reflecting the time recorded, organized in project billing categories by Applicant is attached hereto as **Exhibit C**.

3. Annexed hereto as **Exhibit D** is a chart of necessary and out-of-pocket expenses incurred by the Applicant in the amount of \$51.00 in connection with providing professional services during the Statement Period. A copy of the computer-generated list of expenses is attached hereto as **Exhibit E**

4. Applicant, to the best of its knowledge, has not included any fees in connection with or relating to the allocation of value among the Debtors' creditors.

Notice

5. Applicant will provide notice of this Fee Statement in accordance with the Interim Compensation Order.

WHEREFORE, Applicant, in connection with services rendered as co-counsel to the ad hoc committee of governmental and other contingent litigation claimants, respectfully requests (i) compensation in the amount of \$54,781.60, which is equal to 80% of the total amount of reasonable compensation for actual, necessary legal services that Applicant incurred in

² The blended hourly billing rate of \$1,306.53 is derived by dividing the total fees for attorneys of \$68,201.00 by the total hours of 52.2.

³ The Blended hourly billing rate of \$345.00 for paraprofessionals is similarly derived by dividing the total fees for paraprofessionals of \$276.00 by the total hours of .8.

connection with such services during the Statement Period (*i.e.*, \$68,477.00) and (ii) payment of \$51.00 for actual, necessary expenses that Applicant incurred in connection with such services during the Statement Period.

Dated: February 25, 2022
New York, New York

OTTERBOURG P.C.

By: /s/ Melanie L. Cyganowski
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Jennifer S. Feeney, Esq.
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New York, New York 10169
Telephone: (212) 661-9100
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*Co-Counsel to the Ad Hoc Committee of
Governmental and Other Contingent
Litigation Claimants*

EXHIBIT A

Fees By Project Category

**SUMMARY OF COMPENSATION BY PROJECT CODE
FOR THE STATEMENT PERIOD**

| Project Code | Project Category | Total Hours | Total Fees |
|---------------------|--|--------------------|--------------------|
| PU03 | Business Operations | .8 | \$752.00 |
| PU06 | Employment & Fee Applications | 1.3 | \$746.00 |
| PU08 | Litigation: Contest Matters, Adversary | 3.7 | \$4,273.00 |
| PU09 | Meetings and Communications w/ AHC | 26.8 | \$36,110.00 |
| PU11 | Plan & Disclosure Statement | 20.4 | \$26,596.00 |
| | TOTALS: | 53.0 | \$68,477.00 |

EXHIBIT B

Professional and Paraprofessional Fees

**SUMMARY OF HOURS BILLED BY PROFESSIONALS AND PARAPROFESSIONALS
FOR THE STATEMENT PERIOD**

| Professional | Year Admitted | Rate Per Hour | No. of Hrs. | Total Compensation |
|---|--------------------------|--------------------------|--------------------|-------------------------------|
| Melanie L. Cyganowski ("MLC") Partner | 1982 | \$1470.00 | 36.1 | \$53,067.00 |
| Jennifer S. Feeney ("JSF") Of Partner | 1998 | \$940.00 | 16.1 | \$15,134.00 |
| Jessica K. Hildebrandt ("JKH") Paralegal | N/A | \$345.00 | .8 | \$276.00 |
| | TOTAL | | 53.0 | \$68,477.00 |

EXHIBIT C

Time Detail

OTTERBOURG P.C.
230 PARK AVENUE
NEW YORK, NY 10169-0075

Client/Matter No.: 20186/0002
Matter Name: CHAPTER 11
Billing Partner: RL STEHL

February 14, 2022
BILL NO. 221609

For Services Rendered Through January 31, 2022:

| Phase: PU03 | | BUSINESS OPERATIONS | |
|--------------------------------|---|---------------------|---------------|
| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
| 01/10/22 JSF | Examine Documents Review of Overview of Revised Business Plan | .20 | 188.00 |
| 01/12/22 JSF | Examine Documents Review of Updated Business Plan Analysis | .40 | 376.00 |
| 01/19/22 JSF | Examine Documents Review of Draft Letter to Debtor re: Business Operations and Expenses | .20 | 188.00 |
| TOTAL PHASE PU03 | | .80 | \$752.00 |

| Phase: PU06 | | EMPLOYMENT & FEE APPLICATIONS | |
|--------------------------------|---|-------------------------------|---------------|
| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
| 01/14/22 JSF | Examine Documents Review of December Monthly Fee Statement | .30 | 282.00 |

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NEW YORK, NY 10169-0075

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February 14, 2022
BILL NO. 221609

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|---|--------------|---------------|
| 01/14/22 JKH | Prepare Papers Prepare December monthly statement | .60 | 207.00 |
| 01/26/22 JSF | Examine Documents Review of Monthly Fee Statement for Filing | .20 | 188.00 |
| 01/26/22 JKH | Prepare Papers Finalize monthly fee statement and calendar objection deadline | .20 | 69.00 |
| TOTAL PHASE PU06 | | 1.30 | \$746.00 |

| | |
|-------------|--|
| Phase: PU08 | LITIGATION: CONTESTED MATTERS, ADVERSARY |
|-------------|--|

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|---|--------------|---------------|
| 01/25/22 JSF | Examine Documents Review of Overview of AG Criminal Authority | .30 | 282.00 |
| 01/25/22 JSF | Examine Documents Review of Memo to Committee Outlining Options re: Extension of Injunction and Draft Statement/Objection for Review | 1.10 | 1,034.00 |
| 01/26/22 JSF | Examine Documents Review of AHC Materials re: Continuation of Preliminary Injunction | .30 | 282.00 |

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February 14, 2022
BILL NO. 221609

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|--|--------------|---------------|
| 01/27/22 MLC | Review Documents Review and revision to draft of AHC response in support of injunction | .90 | 1,323.00 |
| 01/28/22 JSF | Examine Documents Review of Updates re: Extension of Injunction and AHC Statement | .30 | 282.00 |
| 01/31/22 JSF | Examine Documents Review of PEC Objection to Extension of Injunctions | .20 | 188.00 |
| 01/31/22 MLC | Review Documents Review of opposition filed by MDL PEC to bridge order | .60 | 882.00 |
| TOTAL PHASE PU08 | | 3.70 | \$4,273.00 |

| | |
|-------------|-------------------------------------|
| Phase: PU09 | MEETINGS & COMMUNICATIONS W/ AD HOC |
|-------------|-------------------------------------|

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|--|--------------|---------------|
| 01/03/22 MLC | Review Documents Review of AHC summary of updates and developments | .60 | 882.00 |
| 01/05/22 JSF | Telephone Call(s) Participate in Weekly Meeting of AHC | 1.50 | 1,410.00 |

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NEW YORK, NY 10169-0075

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February 14, 2022
BILL NO. 221609

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|--|--------------|---------------|
| 01/05/22 MLC | Conference call(s) Conference call meeting with the AHC | 1.00 | 1,470.00 |
| 01/06/22 MLC | Conference call(s) Conference call with States' subgroup and counsel re: next steps | .90 | 1,323.00 |
| 01/06/22 MLC | Review Documents Review of memo to AHC re summarizing next potential appellate steps | .80 | 1,176.00 |
| 01/12/22 JSF | Telephone Call(s) Participate in Weekly AHC Meeting | .70 | 658.00 |
| 01/12/22 MLC | Conference call(s) Meeting with the AHC | 1.20 | 1,764.00 |
| 01/14/22 MLC | Correspondence Correspondence with AHC and counsel | .80 | 1,176.00 |
| 01/17/22 JSF | Telephone Call(s) Participate in Meeting of AHC | 1.40 | 1,316.00 |
| 01/17/22 MLC | Conference call(s) Conference call with AHC re: appeal | 1.40 | 2,058.00 |
| 01/17/22 MLC | Correspondence Correspondence with AHC co-counsel re: appeal and next steps | .40 | 588.00 |

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February 14, 2022
BILL NO. 221609

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|---|--------------|---------------|
| 01/18/22 MLC | Conference call(s) Conference call with State Subgroup and AHC counsel | 1.00 | 1,470.00 |
| 01/19/22 JSF | Telephone Call(s) Participate in Weekly Call of AHC | 1.20 | 1,128.00 |
| 01/19/22 MLC | Conference call(s) AHC committee meeting | 1.40 | 2,058.00 |
| 01/19/22 MLC | Telephone Call(s) Telephone call with Ken Eckstein to prepare for AHC meeting | .30 | 441.00 |
| 01/21/22 MLC | Revision of Documents Reviewed and revised memo to AHC Re: Options | .70 | 1,029.00 |
| 01/21/22 MLC | Telephone Call(s) Telephone call with Rachel Obaldo re: strategy and next steps | .50 | 735.00 |
| 01/22/22 MLC | Correspondence Correspondence with co-counsel re: revisions to AHC memo | .50 | 735.00 |
| 01/23/22 MLC | Review Documents Review of revised draft memo to AHC | 1.10 | 1,617.00 |

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February 14, 2022
BILL NO. 221609

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|---|--------------|---------------|
| 01/23/22 MLC | Correspondence Correspondence with co-counsel re: revised draft memo | .40 | 588.00 |
| 01/24/22 MLC | Review Documents Review and analysis of draft pleading and memo to AHC | 2.10 | 3,087.00 |
| 01/25/22 MLC | Correspondence Correspondence with AHC and co-counsel re: mediation next step | .80 | 1,176.00 |
| 01/26/22 JSF | Telephone Call(s) Participate in Weekly Meeting of AHC | .90 | 846.00 |
| 01/26/22 MLC | Conference call(s) Conference call with AHC | 1.00 | 1,470.00 |
| 01/27/22 MLC | Conference call(s) Conference call with States subgroup and AHC counsel | 1.10 | 1,617.00 |
| 01/28/22 MLC | Conference call(s) Conference call with co-counsel and state subgroup re mediation | .80 | 1,176.00 |
| 01/28/22 MLC | Correspondence Correspondence with AHC re: extension of time to file papers in connection with continuance of injunction | .50 | 735.00 |

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February 14, 2022
BILL NO. 221609

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|--|--------------|---------------|
| 01/31/22 JSF | Examine Documents Review of Updates to AHC re: Mediation and Extension of Injunction | .50 | 470.00 |
| 01/31/22 MLC | Correspondence Correspondence with AHC co-counsel re mediation and next steps | 1.30 | 1,911.00 |
| TOTAL PHASE PU09 | | 26.80 | \$36,110.00 |

| | |
|-------------|-----------------------------|
| Phase: PU11 | PLAN & DISCLOSURE STATEMENT |
|-------------|-----------------------------|

| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|---|--------------|---------------|
| 01/03/22 JSF | Examine Documents Review of Motions to Certify District Court Ruling for Appeal to Second Circuit | .40 | 376.00 |
| 01/03/22 MLC | Review Documents Review of Court order appointing mediator Chapman | .40 | 588.00 |
| 01/04/22 MLC | Review Documents Review of Sackler motion for certification of appeal | 1.30 | 1,911.00 |
| 01/05/22 MLC | Review Documents Review of summary of potential arguments prepared by Kramer | .80 | 1,176.00 |

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| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|---|--------------|---------------|
| 01/06/22 MLC | Review Documents Review of motion re seeking certification of appeal | .70 | 1,029.00 |
| 01/07/22 JSF | Examine Documents Review of District Court Order Granting Motions to Certify Appealability of Order | .30 | 282.00 |
| 01/10/22 JSF | Examine Documents Review Overview of Plan Alternatives | .60 | 564.00 |
| 01/13/22 JSF | Examine Documents Review of Presentation to AHC and Analysis of Issues re: Plan and Strategic Options | .80 | 752.00 |
| 01/13/22 MLC | Correspondence Correspondence with AHC and counsel re: appellate issues | .90 | 1,323.00 |
| 01/14/22 MLC | Review Documents Review of draft of joinder to appeal | 1.10 | 1,617.00 |
| 01/14/22 MLC | Telephone Call(s) Telephone call with KL re: appellate issues | .40 | 588.00 |
| 01/17/22 JSF | Examine Documents Review of Draft Request to Appeal of AHC | .40 | 376.00 |

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| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|--|--------------|---------------|
| 01/17/22 JSF | Examine Documents Review of Filed Briefs to Appeal District Court Decision to Second Circuit | 1.20 | 1,128.00 |
| 01/17/22 MLC | Review Documents Review of analysis by Gilbert firm Re: Appellate Issue | 1.10 | 1,617.00 |
| 01/17/22 MLC | Review Documents Review and analysis of UCC appeal papers filed in second circuit | .90 | 1,323.00 |
| 01/18/22 MLC | Conference call(s) Correspondence with AHC subgroup re: appeal and injunction issues | 1.10 | 1,617.00 |
| 01/19/22 JSF | Examine Documents Review of Materials re: Strategic Alternatives | 1.20 | 1,128.00 |
| 01/19/22 MLC | Review Documents Review of strategy models re: next steps for AHC | 1.10 | 1,617.00 |
| 01/20/22 MLC | Review Documents Review of MSGE motion to expedite appeal | .50 | 735.00 |
| 01/20/22 MLC | Review Documents Review of summary of California opposition to appellate petitions | .40 | 588.00 |

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| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|---|--------------|---------------|
| 01/20/22 MLC | Review Documents Telephone call with Ken Eckstein re: next steps | .30 | 441.00 |
| 01/21/22 MLC | Telephone Call(s) Telephone call with Ken Eckstein re: strategy and next steps | .40 | 588.00 |
| 01/21/22 MLC | Review Documents Review of letter to Kesselman | .60 | 882.00 |
| 01/25/22 MLC | Revision of Documents Reviewed and revised memo to State sub-group re: mediation status | .40 | 588.00 |
| 01/26/22 MLC | Telephone Call(s) Telephone call with Ken Eckstein re: negotiations with Sacklers | .40 | 588.00 |
| 01/27/22 JSF | Examine Documents Review of Illustrative of Alternative Plan Scenarios and Related Issues | 1.30 | 1,222.00 |
| 01/27/22 MLC | Review Documents Review and analysis of Second Circuit decision re: allowing expedited appeals | .60 | 882.00 |
| 01/31/22 JSF | Examine Documents Review of Interim Mediator Report | .20 | 188.00 |

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February 14, 2022
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| <u>DATE</u> <u>ATTORNEY</u> | <u>DESCRIPTION</u> | <u>HOURS</u> | <u>AMOUNT</u> |
|--------------------------------|----------------------------|--------------|---------------|
| 01/31/22 | Review Documents | .60 | 882.00 |
| MLC | Review of mediation report | | |
| TOTAL PHASE PU11 | | 20.40 | \$26,596.00 |
| TOTAL FOR SERVICES | | | \$68,477.00 |

EXHIBIT D

Summary of Actual and Necessary Expenses

**SUMMARY OF ACTUAL AND NECESSARY DISBURSEMENTS FOR THE
STATEMENT PERIOD**

| Expense Category | Total Expenses |
|-------------------------|---------------------------|
| Electronic Research | \$51.00 |
| TOTAL: | \$51.00 |

EXHIBIT E

Expense Detail

OTTERBOURG P.C.
230 PARK AVENUE
NEW YORK, NY 10169-0075

Client/Matter: 20186/0002
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February 14, 2022
BILL NO. 221609

DISBURSEMENTS FOR YOUR ACCOUNT

| | |
|---------------------|-------|
| Electronic Research | 51.00 |
| | <hr/> |
| TOTAL DISBURSEMENTS | 51.00 |